

FILED

MAR 21 2007

**BEFORE THE DISCIPLINARY COMMISSION
OF THE SUPREME COURT OF ARIZONA**

DISCIPLINARY COMMISSION OF THE
SUPREME COURT OF ARIZONA
BY: *[Signature]*

IN THE MATTER OF A MEMBER
OF THE STATE BAR OF ARIZONA,

RAYMOND DANIEL ROMERO,
Bar No. 010707

RESPONDENT.

File No. 04-0007

**DISCIPLINARY COMMISSION
REPORT**

This matter came before the Disciplinary Commission of the Supreme Court of Arizona on February 10, 2007, pursuant to Rule 58, Ariz.R.Sup.Ct., for consideration of the Hearing Officer's Report filed December 4, 2006, recommending acceptance of the Tender of Admissions and the Agreement for Discipline by Consent (Tender) and the Joint Memorandum (Joint Memorandum) in Support of Agreement for Discipline by Consent providing for censure, one year of probation with the State Bar's Law Office Management Assistance Program (LOMAP), Member Assistance Program (MAP), Trust Account Ethics Enhancement Program (TAEHP), restitution, and costs.

Decision

Based on the substantial evidence establishing direct causation and a sustained period of recovery from substance abuse, the eight members¹ of the Disciplinary Commission by a majority of seven,² recommend accepting and adopting the majority of

¹ Commissioner Gooding did not participate in these proceedings.

² Commissioner Todd was opposed.

Hearing Officer's findings of fact and conclusions of law,³ and recommendation for
censure, one year of probation (LOMAP, MAP, and TAEPP) to commence upon the
signing of the probation contract, restitution, and costs of these disciplinary proceedings.⁴

Restitution and the terms of probation are as follows:

Restitution

Amanda Riggs	\$1,021.00
Alex Ervin	\$ 500.00
TOTAL	\$1,521.00

Terms of Probation

1. Within 30-days from the date of the final Judgment and Order, Respondent shall contact the Director of LOMAP. Respondent thereafter, shall submit to a LOMAP audit of his trust account procedures and calendaring procedures. The Director of LOMAP shall develop a probation contract, and its terms shall be incorporated herein by reference. The period of probation will begin to run when all parties have signed the probation contract.

2. Within 30-days from the date of the final Judgment and Order, Respondent shall also call the Director of MAP and undergo an assessment. Based on the assessment, the Director of MAP will develop terms to be included in the probation contract if the assessment indicates that such terms are warranted.

3. Respondent shall complete TAEPP during the probation period. To

³ The Disciplinary Commission determined that aggravating factor 9.22(a) prior disciplinary offenses is now present and consequently, mitigating factor 9.32(a) is not present. See Hearing Officer's Report, p.13. An Order of Informal Reprimand was imposed on December 21, 2006 in File No. 06-1452 for violating ER 1.15 and Rules 43 and 44. This Order was filed subsequent to the filing of the Hearing Officer's Report on December 4, 2006. The overall outcome however, is not affected by the presence of prior discipline.

⁴ A copy of the Hearing Officer's Report is attached as Exhibit A.

schedule his attendance, Respondent shall contact Barbara Chandler at (602) 340-3278.

4. Respondent shall refrain from engaging in any conduct that would violate the Rules of Professional Conduct or other rules of the Supreme Court of Arizona.

5. Respondent shall pay all costs incurred by the State Bar and Disciplinary Clerk in these disciplinary proceedings.

6. In the event that Respondent fails to comply with any of the foregoing conditions, and the State Bar receives information, bar counsel shall file with the Hearing Officer a Notice of Non-Compliance, pursuant to Rule 60(a)(5), Ariz.R.Sup.Ct. The Hearing Officer shall conduct a hearing within thirty days after receipt of said notice, to determine whether the terms of probation have been violated and if an additional sanction should be imposed. In the event there is an allegation that any of these terms have been violated, the burden of proof shall be on the State Bar of Arizona to prove non-compliance by clear and convincing evidence.

RESPECTFULLY SUBMITTED this 21st day of March, 2007.


J. Conrad Baran, Chair
Disciplinary Commission

Original filed with the Disciplinary Clerk
this 21st day of March, 2007.

Copy of the foregoing mailed
this 21st day of March, 2007, to:

Robert J. Lord
Hearing Officer 6L
Berens, Kozub, Lord & Kloberdanz, P.L.C.
7047 East Greenway Parkway, Suite 140
Scottsdale, AZ

Philip Haggerty
Respondent's Counsel
17409 North 20th Street
Phoenix, AZ 85022-2257

Amy K. Rehm
Senior Bar Counsel
State Bar of Arizona
4201 North 24th Street, Suite 200
Phoenix, AZ 85016-6288

by: *M. Smith*

/mps